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IN THE
Supreme Court of the United States

October Term, 1950

No. 438

UNITED GAS, COKE AND CHEMICAL WORKERS OF
AMERICA, CIO, ARTHUR ST. JOHN, THOMAS LAN-
SING, AL FUHRMAN,

Petitioners,

v.

WISCONSIN EMPLOYMENT RELATIONS BOARD

MOTION TO DISPENSE WITH PRINTING OF THE
RECORD ON CONSIDERATION OF PETITION FOR
CERTIORARI

AND

MOTION TO EXPEDITE CONSIDERATION OF PETITION
FOR CERTIORARI

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United Gas, Coke and Chemical Workers of America, District 7, Local Union 18, affiliated with the C.I.O., Arthur St. John, Chester Walczak and Thomas Lansing, by their counsel Arthur J. Goldberg and Thomas E. Harris, move the court (a) to dispense with the printing of the record on consideration of their petition for certiorari filed herewith and (b) to expedite consideration of the said petition for certiorari. In support of their motion, petitioners show as follows:

1. There is an obvious need for expedition in the present case. The Court has before it two cases, Nos. 302 and 329-330, which present issues substantially the same as those presented in the instant case. No. 302, in fact, arises out of the

same facts as are involved in this case. Nos. 302 and 329-330 are set for argument in the week of January 8, 1950. The petitioners believe that the instant case clarifies the issues presented in Nos. 302 and 329-330 and presents to the Court a record which should be considered by the Court in dealing with the important issues present in all three cases. Accordingly, petitioners believe that the Court should, if possible, grant certiorari in the present case and set it for argument with the other cases in the week of January 8, 1950.

2. The Attorney-General of Wisconsin, counsel for the respondent Wisconsin Employment Relations Board, recognizing that the instant case presents issues which should be considered along with those presented in Nos. 302 and 329-330, has orally informed counsel for the petitioners that he will not object to the granting of certiorari in this case or to the consideration of the case along with Nos. 302 and 329-330, in which the Wisconsin board is also respondent. A letter confirming this information will, we believe, be forwarded directly to the Court by the Attorney-General.

3. The instant case was decided by the Supreme Court of Wisconsin on November 8, 1950. Petitioners' present counsel were not retained in that capacity until the week of November 27, 1950. The briefs in the Supreme Court of Wisconsin, which contain as appendices the parts of the record relied upon by the parties in that Court, were not received by present counsel until December 1, 1950. In view of the time limitations involved, petitioners' counsel were unable to obtain a properly certified copy of the record in time to have said record printed for consideration with the petition for certiorari.

4. Petitioners' present counsel have obtained, and filed with the clerk for distribution to the Court as Appendix C to their petition, nine copies of petitioners' brief in the Supreme Court of Wisconsin. This brief contains as an appendix, on pages 101 to 219, all of the relevant portions of the record below. A properly certified copy of the record is being filed simultaneously with the Clerk of this Court, but, as heretofore stated, it has been impossible in the short time available to have this certified record printed. If the petition for certiorari is granted, the petitioners will promptly submit to the Court, in

place of the uncertified appendix to their brief below, a properly printed and certified record which will include the opinion of the Wisconsin Supreme Court. Pending the submission of this printed record, the petitioners have printed a copy of the opinion of the Wisconsin Supreme Court as appendix B to their petition for certiorari.

5. The Court thus has before it, in printed form, all of the material necessary for consideration of the petition for certiorari. Counsel for the respondent ~~does~~ not oppose the granting of the petition. It is respectfully requested, therefore, that the Court consider the petition without waiting for the formality of reprinting the record and that, on such consideration, the Court grant the petition and set the case for argument with Nos. 302 and 329-330.

Respectfully submitted,

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